

**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS MEETING
MONDAY, JULY 18, 2011, 10:00 A.M.
INDIANA GOVERNMENT CENTER SOUTH,
402 W. WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204**

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

David Demuth, President
Diane Weisheit, Vice President
Diana Bonn
Gary Odell
Joseph Barsic
Dr. Rebecca Bushong

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Rae Harmon, Assistant Director
Philip Thompson, Deputy Attorney General

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

MINUTE 11-82

CALL TO ORDER AND ESTABLISHMENT OF QUORUM

The committee meeting was called to order at 10:00 a.m. by D. Demuth pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

MINUTE 11-83

ADOPTION OF THE AGENDA

D. Bonn moved to adopt the agenda as amended. D. Weisheit seconded the motion. Motion carried.

MINUTE 11-84

**ADOPTION OF THE MINUTES OF THE MAY 16, 2011 MEETING OF THE STATE BOARD OF
COSMETOLOGY AND BARBER EXAMINERS**

D. Weisheit moved to approve the minutes of the May 16, 2011 meeting of the State Board of Cosmetology and Barber Examiners as amended. D. Bonn seconded the motion. Motion carried.

MINUTE 11-85

ADMINISTRATIVE SHOW CAUSE HEARING IN THE MATTER OF HOANG M. DO, SBCE 07-55

D. Bonn moved to issue a Notice of Proposed Default. R. Bushong seconded the motion. Motion carried.

The hearing was re-opened after he appeared. D. Weisheit moved to find him in violation of his order and impose the costs of the proceedings, extend the time period in which he could petition for modification of probation to October 1, 2012 and extend his personal appearance requirement to coincide with the revised probation order. R. Bushong seconded the motion. D. Bonn opposed the motion. Motion carried.

MINUTE 11-86**ADMINISTRATIVE HEARING IN THE MATTER OF STUDIO 51, INC., SBCBE 10-37**

D. Weisheit moved to issue a Default Order in the matter of Studio 51, Inc., SBCBE 10-37. D. Bonn moved to find Studio 51, Inc, SBCBE 10-37 in violation of three counts. She further moved to impose a fine of \$1000.00 for each of the three violations for a total of \$3000.00, impose costs of the proceedings, suspend the license for a period of one week then place the license on indefinite probation with no right to petition for modification of probation for a period of one year. R. Bushong seconded the motion. Motion carried.

MINUTE 11-87**ADMINISTRATIVE HEARING IN THE MATTER OF TAMMY NAILS, SBCBE 11-06**

D. Bonn moved to find Tammy Nails, SBCBE 11-06 in default. D. Weisheit moved to find Tammy Nails, SBCBE 11-06 in violation of three counts. She further moved to impose a \$1000.00 fine for each of the three violations for a total of \$3000.00 to be paid within one year from the date of the final order, suspend the license indefinitely with no right to petition for reinstatement for a period of one year and impose the costs of the proceedings. R. Bushong seconded the motion. Motion carried.

MINUTE 11-88**ADMINISTRATIVE HEARING IN THE MATTER OF NATURAL NAILS, SBCBE 11-36**

D. Bonn moved to find Natural Nails, SBCBE 11-36, in violation of two counts. She further moved to impose a fine of \$250.00 for each count for a total of \$500.00 to be paid within sixty days from the date of the final order, place the license on indefinite probation with no right to petition for reinstatement for a period of one year, and impose the costs of the proceedings. D. Weisheit seconded the motion. Motion carried.

MINUTE 11-89**ADMINISTRATIVE HEARING IN THE MATTER OF CARRIE D. REED, SBCBE 10-37**

D. Weisheit moved to reinstate the license in the matter of Carrie D. Reed, SBCBE 10-37. D. Bonn seconded the motion. Motion carried.

MINUTE 11-90**PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

1. Regency Beauty Institute, SC50700028 – Regency reported that they found a problem with the new electronic reporting of progress about the same time the inspector came in. They conducted audits and have changed the system to a real time basis so the students can see where they are at as far as their progress. They reported that student records have been corrected and they have new campus management in place. The board expressed their opinion that the matters have not been resolved since students have since complained to the compliance division. They also feel that six disapproved inspection reports is an extreme problem.

D. Weisheit moved to renew the license on indefinite probation pending an approved inspection report. R. Bushong seconded the motion. Motion carried.

2. Isreal Neal Jones, BC08901790 – Application for renewal approved

3. Quoc Tan Le, MA20703253 – Application for renewal approved.

4. Lauren Perry, BC20601752 – Application for renewal approved.

5. Belinda M. Quintanilla, BC29801666 – D. Bonn moved to renew the license on probation until criminal probation is completed. D. Weisheit seconded the motion. Motion carried.

6. David Williams, BA10600102 – D. Weisheit moved to approve the renewal on probation until he can prove his record is clear and he is not on probation. D. Bonn seconded the motion. Motion carried.

MINUTE 11-91**PERSONAL APPEARANCES**

1. Hoang M. Do, SBCE 07-55 - Appeared
2. Nail Expo, SBCE 08-17 -Appeared

3. Lovely Nails, SBCE 08-27 – Appeared.
4. Today's Nails/Tan, SBCE 09-02 – Appeared
5. Qui c. Lam, SBCE 09-03 – Appeared
6. Pro Nails, SBCE 09-08 – Failed to appear
7. Wonder Nails, SBCBE 10-39 - Appeared

MINUTE 11-92

CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS

D. Weisheit moved to affirm the Administrative Law Judge's Orders in the matter of Happy Nail Spa, SBCBE 11-08 and Angela Harris, SBCBE 10-42. D. Bonn seconded the motion. Motion carried.

MINUTE 11-93

CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S NOTICE OF PROPOSED DISMISSAL ORDERS

D. Weisheit moved to issue a dismissal order in the matter of Carl R. Lowry, SBBE 02-10. D. Bonn seconded the motion. Motion carried.

MINUTE 11-94

CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 4-1-5(d), COMPLETION OF EDUCATION WITHIN THREE YEARS OF ENROLLMENT

D. Bonn moved to grant the request for waiver of 820 IAC 4-1-5(d) in the matter of Cori Baugh and allow her six months to graduate from cosmetology school. D. Weisheit seconded the motion. Motion carried.

D. Weisheit moved to deny the request for waiver of 820 IAC 4-1-5(d) in the matter of Celeste Deacon. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to table the request for waiver of 820 IAC 4-1-5(d) pending proof of the total number of hours she has obtained in the matter of Tricia Wilczyk. R. Bushong seconded the motion. Motion carried.

D. Weisheit moved to grant the request for waiver of 820 IAC 4-1-5(d) in the matter of Angelica Black Williams and allow her six months to graduate from cosmetology school. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to grant the request for waiver of 820 IAC 4-1-5(d) in the matter of Tiffany Lynn Barnett and allow her eight months to graduate from cosmetology school. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to grant the request for waiver of 820 IAC 4-1-5(d) in the matter of Stephanie O'Connor and allow her six months to graduate from cosmetology school. R. Bushong seconded the motion. Motion carried.

MINUTE 11-95

CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b)

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Shakira Harris and Chelsea Sallee. D. Bonn seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow three months to sit for the examination in the matter of Mayra Macias, Baylie Miles, Shy Anne Ramsey, Keanna Williams, Cindy Koehler, and Ivana Wilson. D. Weisheit seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) and allow six months to pass the examination in the matter of Tiffany Coleman, Loc Nguyen, Venus Grant, Shanita Lewis, and Ashley Thompson-Baker. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to deny the request for waiver of 820 IAC 2-2-3(b) in the matter of Erica Scott-Groce. D. Bonn seconded the motion. Motion carried.

MINUTE 11-96

CONSIDERATION OF REQUEST FOR WAIVER OF IC 25-8-7-3; IC25-8-12.6-3, IC25-8-7.2-3, SIX MONTH LICENSURE REQUIREMENT TO MANAGE A SALON

D. Bonn moved to deny the request for waiver of IC 25-8-7-3; IC25-8-12.6-3, IC25-8-7.2-3, six month licensure requirement to manage a salon in the matter of Sherry Jo Anderson. D. Weisheit seconded the motion. Motion carried.

MINUTE 11-97

GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE

D. Weisheit moved to grant the petition for review and appoint D. Demuth as the Administrative Law Judge in the matter of the following. D. Bonn seconded the motion. Motion carried.

A. Crystal Jamison

Re: Timely Petition for Review of Failed Cosmetology Examination

B. Tina Bitar

Re: Timely Petition for Review of Failed Electrology Examination

C. Samantha Soto Cornejo

Re: Timely Petition for Review of Denied Application for Provisional Esthetician License

D. Belen Garcia Rameriz

Re: Timely Petition for Review of Denied Application for Provisional Cosmetology License

E. Indiana Zapata

Re: Timely Petition for Review of Denied Application for Provisional Cosmetology License

F. Henry Hoang Bui

Re: Timely Petition for Review of Denied Application for Manicurist License by Reciprocity

G. Phuc Bui

Re: Timely Petition for Review of Denied Application for Manicurist License by Reciprocity

H. California Nails

Re: Timely Petition for Review of Denied Application for Manicurist Salon and Esthetic Salon License

D. Weisheit moved to deny the petition for review in the matter of Jenae A. Bisch due to untimely filing. D. Bonn seconded the motion. Motion carried.

MINUTE 11-98

APPLICATION COMMITTEE REPORT

D. Weisheit moved to accept the following application committee report as follows. D. Bonn seconded the motion. Motion carried.

COSMETOLOGY APPLICATIONS

A. By Examination:

Bowman, Jennifer – Tabled pending information on status of case

Comer, Ebonee – Approved

DeLaCrue, Vincenta – Approved

Hoekstra, Katie Ann – Denied, under 18 years old at the time of application, IC 25-8-9-3(1)

Lewis, Andre' – Approved

Lynch, Shanquale – Tabled pending proof of completion of sentence

Roberts, Rebecca – Approved on indefinite PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing cocaine, follow statutes and rules.

Simones, Deanna - Approved on indefinite PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing cocaine, follow statutes and rules.

Sutherland, Amy - Approved on indefinite PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing cocaine, follow statutes and rules.

Trevino, Tammy - Approved on indefinite PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing in a scheduled I drug, and follow statutes and rules.

Turnpugh, Christine - Approved

Walker, Lisa - Approved

B. By Reciprocity:

Nguyen, Khoa Van – Denied, IC 25-8-4-2, does not have a valid license in other Jurisdiction.

Roberts, Kelsey - Denied, IC 25-8-4-2, does not have a valid license in other Jurisdiction. He holds an apprentice license.

Sarian, Garabed – Denied, IC 25-8-4-2, does not have a valid license in other Jurisdiction. His Missouri license is suspended.

Klingler, Daniel – Approved on indefinite PROBATION with no right to petition for withdrawal of probation for a period of one year for conviction of child molestation and restrict practice on anyone under the age of 18, and follow statutes and rules.

Vo, Thoai, Ngoc – Denied, IC 25-8-4-2(a)(2), Oklahoma did not require passing the written exam.

C. By Provisional:

Cortez, Gladys – Denied, IC 25-8-4-2.9, education and experience not equivalent

Henrriquez, Dennis - Denied, IC 25-8-4-2.9, education and experience not equivalent

Ly, Tran My – Denied, IC 25-8-4-2.9, education not equivalent

Mata, Lourdes- Denied, IC 25-8-4-2.9, education not equivalent

MANICURIST APPLICATIONS

A. By Examination:

Morrison, Lisa - Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year for dealing cocaine, and follow statutes and rules

B. By Reciprocity:

Galloway, Boulavanh - Denied, IC 25-8-4-2.9(c), education not equivalent, no examination required.

Le, Phuong - Denied, IC 25-8-4-2.9(c), education not equivalent, apprentice training.

Nguyen, Quang Van - Denied, IC 25-8-4-2.9(c), education not equivalent, attended a manicuring school

Tran, Bryant - Denied, IC 25-8-4-2.9(c), education not equivalent, has only 100 hours and not enough experience.

C. By Provisional:

Pham, Thuy Thi – Tabled pending proof of work experience and high school education

ESTHETICIAN APPLICATION

A. By Provisional:

Mishra, Monica – Denied, IC 25-8-12.5-8, education not equivalent

SALON APPLICATIONS

A. Cosmetology Salon

Clip & Curl Salon, BS30000911 (Restoration) – Approved

Magic Nails, 5712 Maplecrest Rd., Fort Wayne – Approved on indefinite probation with no right to petition for withdrawal of probation for a period of one year, follow statutes and rules.

B. Manicurist Salon

Angel Nails, 611 W. 81 Ave., Merrillville – Tabled, pending outcome of owner's pending litigation.

Aqua Nails Spa, 5364 Broadway, Merrillville - Denied, unlicensed practice, IC 25-1-11-19. Unsanitary implements

California Nails, 3710 First Ave., Evansville – Table pending outcome of denied salon renewal.

Regal Nails, 2505 N. Oak Road, Plymouth - Approved on indefinite probation with no right to petition for withdrawal of probation for a period of one year, follow statutes and rules.

USA Nails, 8660 Purdue Road, Ste 500, Indianapolis – Denied, unlicensed practice, IC 25-1-11-19, razor device in salon, 820 IAC 3-1-16(c), unsanitary conditions

You & Me Spa Nails, Inc., 10210 Wicker Ave., St. John – Denied, unlicensed practice, IC 25-1-11-19.

C. Esthetic Salon

USA Nails, 8660 Purdue Road, Ste 500, Indianapolis– Denied, unlicensed practice

BARBER APPLICATIONS

A. By Examination:

Tichenor, Greg – Denied, failed to prove he completed the education, IC 25-8-12.1-3(2)

B. By Reciprocity:

Jones, Darien - Approved

BARBER INSTRUCTOR APPLICATION

A. By Examination:

Woodward, Florence – Denied, IC 25-8-12.1-3(2), transferred instructor education from a cosmetology school to a barber school for graduation from a barber school.

BARBER SHOP APPLICATION

Corey's Barber Shop – Denied, IC 25-1-11-19, Barber practicing in shop with an expired license.

**MINUTE 11-99
RULES COMMITTEE REPORT**

The board will review the existing mobile salon rule draft and send T. Hicks any changes for review and approval of a final draft at the September 19, 2011 meeting.

**MINUTE 11-100
ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 5:50 p.m.

DATED: 9/19/11

David Demuth
DAVID DEMUTH, PRESIDENT

Tracy Hicks
ATTEST BY:

TRACY HICKS, BOARD DIRECTOR